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SUBJECT: Ugandan Perspective on Museveni-Kabila Summit

¶1. (SBU) Summary: Ugandan President Yoweri Museveni and Congolese President Joseph Kabila met in Arusha, Tanzania for a two-day summit on September 7 and 8 to discuss border issues, the Lord's Resistance Army and other negative forces, and sharing of common resources. The two heads of state agreed on mechanisms to diffuse tensions over key issues. Kabila's commitment to take action against the LRA in January surprised Museveni and was a source of disagreement with Kabila's Defense Minister and Intelligence Chief. The atmospherics between the two heads of state were excellent. The Ugandan Government got an agreement in writing that can be shared with international and regional partners, but the Foreign Ministry remains skeptical that Congo will deliver on commitments. End Summary.

¶2. (SBU) P/E Chief met with Julius Kagamba Singoma, Director for East Africa and the Ring States, Ministry of Foreign Affairs on September 10 to discuss the outcomes of the summit between Ugandan President Yoweri Museveni and Congolese President Joseph Kabila. Singoma was a member of the Uganda delegation at the summit.

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BACKGROUND
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¶3. (SBU) The Ugandan Government realized that using the approach of security and military officials to discuss the issue of the negative forces over the past year and to diffuse tensions in the border areas over the past few months with Congolese President Joseph Kabila was not working, according to Singoma. Museveni had sent Minister of Security Mbabazi, Chief of Defense Forces Aronda, and Chief of Military Intelligence Kyanda several times to urge Kabila to take action against the LRA and other negative forces. President Museveni decided that changing tactics might prove more fruitful and directed his ministers to approach the Congolese from an economic perspective, which he argued would demonstrate to the Congolese the joint benefits and prosperity that could be brought about through cooperation.

¶4. (SBU) On August 11, Kabila called Museveni "to regret" the recent border incidents. According to the Ugandans, the incidents were not directed by Kinshasa, but rather the result of soldiers and local officials "free-lancing" because they had not been paid. Kabila promised to send his Foreign Minister to provide Museveni with the details. He did not come so Museveni sent Foreign Minister Kutesa to visit Kabila. According to Kutesa, Kabila promised that the Joint Permanent Commission could be resurrected and convene in Fort Portal, Uganda on August 30 and 31. The meeting never materialized.

¶5. (SBU) Kabila sent Foreign Minister Nyamwisi to Uganda to propose a summit in Tanzania. Kutesa told his officials that

according to Nyamwisi, Kabila did not fear coming to Uganda, where he was raised, but had to continue to beat an "anti-Uganda drum" for domestic purposes. Tanzanian President Kikwete agreed to host the meeting. The agenda for the meeting included: border demarcation, border security, joint resource sharing, negative forces, reviving the joint permanent commission, and re-establishing diplomatic relations at the ambassadorial level. According to the Singoma, the Ugandans insisted on a formal written agreement, rather than a Memorandum of Understanding, because a formal agreement could be shared with outside parties.

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BORDER ISSUES
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¶16. (SBU) Uganda and Congo agreed to demilitarize Rikwanzi and other disputed areas, such as Arua. Congo would be allowed to administer Rikwanzi for a month. On October 9, Uganda would name a co-administrator. In addition, both Congo and Uganda would post an equal number of police. A joint team of experts would be constituted to re-mark the border. The British-Belgian agreement of 1915, confirmed by the Organization of African Unity and African Union consultative acts, would be the basis for the border demarcation. Singoma asked if there were U.S. experts available to assist. "Border Authority" meetings would be held to monitor the progress of the experts.

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NEGATIVE FORCES
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¶17. (SBU) Kabila pre-empted Museveni on the issue of negative forces, according to Singoma. Kabila told Museveni that he was working on an action plan for January. Museveni thanked him. However, in the working level meeting to draft the agreement,

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Kabila's Minister of Defense and Intelligence Chief objected and said the plan would be proposed in January, not implemented. The Ugandans insisted that the issue be taken back to Kabila, Foreign Minister Nyamwisi and Museveni, who had spent two full days together as the details of the agreement were worked out. Kabila reiterated his commitment that the Congolese would be ready for action in January. Still, the two Congolese Ministers continued to try to change the text.

¶18. (SBU) The Congolese also gave Museveni information about attempts to implicate Uganda as a supporter of dissident General Laurent Nkunda.

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IMPROVING DIPLOMATIC RELATIONS
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¶19. (SBU) Uganda raised the issue of ambassadorial level representation in each capital. Kabila agreed, but the language proposed by the Congolese stated that the two parties would undertake actions that would lead to the full upgrade in diplomatic status. According to Singoma, those actions include: settling of claims, resolving a dispute over the Congolese embassy property, and discussion of the outstanding USD 10 billion International Court of Justice (ICJ) decision. The parties agreed to set up commissions on properties and the ICJ decision. On the claims issue, there were contract disputes between private individuals that were causing friction. Several include court decisions in the favor of Ugandans that the Congolese parties do not want to pay. The Congolese requested that the Ugandan Government pressure the individuals not to pursue payment of the claim. The Ugandans explained that they cannot interfere in these court judgments.

¶110. (SBU) The second issue involved the Congolese chancery in the Kololo neighborhood. It backs up to a property that was recently purchased by a new owner. The wall that had been built by the embassy was on the new owner's property. The new owner tore it down. The Congolese claim that the wall was on their property, but the records of the land title had been destroyed in a fire years

ago. The Ugandan Government asked the Attorney General to look into the issue and found that the land registry had no records of the Congolese claim and that no fire was ever reported to the police. The new property owner agreed to resurrect a wall, but on the correct property line.

¶11. (SBU) The final issue is the ICJ finding that Uganda owed Congo USD 10 billion for riches plundered during its foray across the border. The Ugandan Government was willing to discuss it and negotiate with the ICJ on the judgment.

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OIL
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¶12. (SBU) The Congolese delegation reportedly accused Uganda of taking its oil. The Ugandans proposed a joint committee to work on the issue of shared resources, such as oil, drawing from good examples of international cooperation found between Norway, Sweden, and the U.K., and avoiding bad precedents such as between Nigeria and Sao Tome. Each country would deploy its own oil expert at each embassy that would participate on the committee. Kabila then requested that the terms of the resource sharing agreement be reviewed. Museveni reminded Kabila that the first agreement was signed in 1990 with former President Mobutu, then reviewed and agreed to by Laurent Kabila. It was already in force. Kabila insisted that the agreement had not been ratified. Museveni pointed out that the agreement entered into force upon signature, not parliamentary ratification. Museveni agreed to send Minister of Energy Resources, Daudi Migereko, to review the document with the Congolese.

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ATMOSPHERICS
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¶13. (SBU) Singoma described the relations between Museveni and Kabila as excellent. The two presidents spent long hours in each other's company while their respective delegations worked out the details of what had been agreed. The Congolese delegation members reportedly tried several times to change the language from what Kabila had agreed to so there was considerable back-and-forth to the presidents to clarify what had been agreed. Singoma also said that the Congolese delegation tried to prevent Kabila from signing the agreement and insisted that he do it after returning to Congo. The Congolese delegation then tried to put a number of "urgent" calls through to Kabila from Congo, presumably to dissuade him from

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signing the document, according to Singoma. The Ugandans wanted a signed agreement that they could show the U.N. and neighboring countries.

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COMMENT
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¶14. (SBU) Despite the apparent progress, the Ugandans are adopting a wait-and-see approach as the provisions of the agreement are implemented. The Ugandans also remain concerned about the split between Kabila and his security officials, but hope that the momentum created could be carried through to the Tripartite Plus meetings in Kampala from September 15-17.
BROWNING